

QUID NOVI

Journal des étudiant-e-s
en droit de l'université McGill

McGill Law's
Weekly Student Newspaper

Volume 34, n°5
30 octobre 2012 | October 30th 2012

QUID NOVI

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*Journal des étudiant-e-s
en droit de l'université McGill*

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WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant
jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de
l'auteur, son année d'étude ainsi qu'un titre
pour l'article. L'article ne sera publiée qu'à la
discretion du comité de rédaction, qui

basera sa décision sur la politique de
rédaction.

Contributions should preferably be submitted as
a .doc attachment (and not, for instance, a
".docx").



AARON
FERGIE

TALK TO ME!

A problem?

As well-noted by my colleague, Jérémy, in the last editorial of the Quid Novi, something seems afoot. During the past several weeks we have witnessed a number of clashes between different, not necessarily exclusive, law student groups including those attending AGM's and the LSA Executives, among others. (If you're not sure what this is all about, feel free to check out the past few issues of the Quid Novi here:

<http://quid.mcgill.ca/archive.php>)

Could it be that the airs of the 'Red Square Revolution' have stirred our hearts? Or that this is the result of divides in our political culture here at the Fac representing differences in values concerning democracy? Could it be the result of a simple lack of communication and guidance between the student body and its governing organs? Or perhaps something as fundamental and pervasive as an identity crisis, such as Jérémy so cogently suggested in the last issue of the Quid Novi; an identity crisis resulting from a lack of 'stable interactional expectancies' to be resolved by changes at the level of our collective constitution? Could it be that this is all simply reading too much into what is essentially the puerile drama of high-strung law school students who need a better outlet for their stress?

Critique et le Quid


Je n'ai pas, bien sûr, les réponses à ces questions, mais voilà quelques opinions prêtes pour le discours. Et je vois les discours éclos devant mes yeux, même dans les parutions du Quid Novi. Peu importe le fondement des sentiments dans la Fac, je vois que les discours sont importants pour le

comprendre, pour le soulever, et pour faire quelque chose à ce propos. Quel est le rôle du Quid dans tout cela? C'est votre outil sinon pour soutenir ces discours, au moins l'endroit parfait pour les commencer!

Il y a un certain pouvoir dans les critiques, peu importe leur contenu. C'est le pouvoir de tirer les réponses, ce qui semble très important ces jours-ci. Si vous voulez savoir quelque chose, comprendre pourquoi on fait les choses de telle manière, lancez le ballon et quelqu'un qui est touché par celui-ci va répondre! D'ailleurs, si vous voulez que les gens se rallient autour de votre cause, prenez une position où les gens peuvent vous voir. De cette manière, vous pourrez obtenir leur support, et s'ils sont en désaccord, vous allez le savoir quand il sera temps de s'ajuster et de montrer les valeurs de votre position.

So don't be shy to take a stand. But be careful not to stay there too long! We get closest to the truth when we submit ourselves to the discomfort of being dislodged from our standpoints, from the high places that we have achieved through our reflections and discussions. Sure, it's unpleasant to be dislodged and there is a resultant confusion from being dropped back into the thickets. But conflict and confusion is merely the start of mutual comprehension. So seek like the 16th century explorer multiple vantage points to be sure you truly perceived the contours of the land.

Le message est simple : je vous invite à réfléchir sur les choses qui vous tiennent à cœur, à prendre position (même si c'est préliminaire) et à la décrire dans les pages du Quid!



**MOLLY
KRISHTALKA**

LSA FUNDING OF JOURNALS: A DISCUSSION

In this article, I respond to the points and questions relating to journal funding, and suggest a framework for discussion of this issue going forward. Two main questions deserve attention: should the LSA fund law journals? If so, what conditions should apply to such funding?

1. Should the LSA fund the law journals?

A. Law journals and student life at the Faculty

From the events they organize at the Faculty, to the scholastic opportunities they provide to students, to the role journals play externally in strengthening and expanding the McGill name, journals play an immensely important role in enriching the law school experience.

In the past month and a half, the McGill International Journal of Sustainable Development Law & Policy (JSDLP/RDPDD) has committed itself to running a conference on turning science into law, four launch events for the four issues we are publishing this year, a launch event for the publication of our report on reducing the carbon footprint of academic journals, and a coffeehouse. We remain open to suggestions for more events and would love to, as we did with the Plan Nord conference last year, collaborate with other student groups to plan conferences or other events. Certainly, journals are not the only groups at the Faculty to sponsor such events. Journal-sponsored events differ from events sponsored by non-student groups in that they allow students to benefit from actually running the events—the experience of selecting themes, soliciting speakers, managing logistics, and running the event in real-time is invaluable. In addition to giving 100+ law students valuable experience in the academic editing and publication process, law journals offer all law students opportunities to get involved as authors. The JSDLP has pub-

lished, and continues to seek student-written submissions. Starting this year, students will additionally be able to have short articles or reflection pieces published on our blog.

À l'externe, les revues de droit améliorent la visibilité de la Faculté sur le plan académique. En plus de renforcer la réputation de la Faculté auprès de nos propres auteurs, nos abonnements internationaux ainsi que nos communications fréquentes avec les universitaires externes faisant partie de notre comité de révision par les pairs renforcent le profil académique de la Faculté de droit ici au Canada et à l'étranger.

B. Les besoins financiers des revues de droit

Les trois revues de droit présentes à la Faculté sont comparables de plusieurs façons, mais leurs besoins financiers ne sont pas équivalents. Ni la Revue de droit et sante à McGill (MJLH/RDSM) ni la RDPDD n'ont accès à des fonds aussi importants que ceux de la Revue de droit de McGill (MLJ/RDM). Les différences entre le nombre d'abonnements et les tarifs de ces abonnements des différentes revues expliquent aussi leurs statuts financiers différents.

Subscriptions and student fees currently fund the JSDLP. In the past, we have applied to the LSA or the Dean's Discretionary Fund to fund certain events, most recently the Plan Nord conference organized in conjunction with other student groups last winter. I am immensely grateful to the student body for the journal fees, as these fees go a long way towards balancing our budget. In terms of the day-to-day of the publication process, our finances are currently stable. However, neither student fees nor our subscriptions revenue are sufficiently large to also cover

one-time infrastructural expenses (technology upgrades, etc) or the high-profile events that we plan to hold at the Faculty this year and in coming years.

In his Quid article last week, Derek Zeisman wondered if "LSA money should be replacing fundraising activities that the journals should really be undertaking themselves." The LSA journal-funding proposal is one branch of a larger LSA plan to streamline fundraising from external LSA sponsors within the VP-Sponsorship portfolio. This will ensure that external sponsors are not overwhelmed by requests coming from multiple groups and allow the VP-Sponsorship to increase the total amount of sponsorship money available for groups at the Faculty.

2. What conditions should apply to LSA funding of law journals?

A. Funding journals separately from clubs

Far from threatening club funding, providing separate funding for journals and clubs is beneficial for both clubs and journals. Faced with numbers from last year that indicate that clubs did not even come close to using all of the money allocated to them, I do not believe that now, with increased clubs funding, a separate pool for journals makes it harder for clubs to access the funding they need. A good part of the LSA's surplus has already gone to increase the clubs' funding pool; the creation of a separate pool for journals will ensure that clubs' funding will remain available for clubs' purposes.

B. Length of the commitment

A multi-year funding commitment allows both the LSA and the journals to make long-term plans. Long-term financial planning is extremely important in ensuring the continued financial stability of the journals. Moreover, a three-year commitment to fund the journals is not unprece-

dented--the student fees that fund the McGill Law Journal, the MJLH, the JSDLP, and Innocence McGill are all passed on a three-year basis.

C. La responsabilité financière des revues de droit

Les revues ont toujours rendu, et continuent de rendre des comptes aux étudiants à travers les référendums qui ont lieu chaque trois ans pour renouveler leurs contributions étudiantes. En fait, le but de ces référendums est d'approuver l'utilisa-

tion de ces fonds par les revues. Celles-ci rendraient des comptes sur le financement proposé par l'AÉD de la même manière que les clubs et groupes étudiants le font maintenant: le remboursement des reçus.

Where do we go from here?

LSA Council will re-examine the journal-funding proposal in early January. The JSDLP will continue drafting a written contract setting out the terms of the funding this semester and plan to present it to LSA

Council. I encourage any students who have questions or comments about this idea to come by the journal office (room 305 NCDH) and speak with me directly.

Molly currently serves as the Editor-in-Chief of the McGill International Journal of Sustainable Development Law & Policy.

Law III

ADRIAN
THOROGOOD

MUCH ADO ABOUT JOURNALS

My evening journal work on the 3rd floor is often accompanied by the bellows and squeals of drama rehearsal. I smile at this mild nuisance, "it's just Actus Reus," I say to myself. But now I see it's *mens rea* too. Some of these amateur dramatists clearly intend to frustrate my editing enterprise.

The Benefit of Journals

I take volume and issue with the ramblings of self-proclaimed rabble-rouser Derek Zeisman. First, Derek questions whether funding the journals benefits us all. Without invoking a tenuous trickle-down theory, I suggest a fairer assessment of the benefit journals offer the Faculty. First, they offer a direct benefit to journal members, who represent a significant proportion of the Faculty. These editors not only work hard, they often also pay for their credits, for the privilege of their labour. Second, Derek makes no mention of the intellectual and societal dividends of student journals, of the numerous publications that influence the law and legal scholarship. I admit that Derek is right about benefits not always trickling down to other students. No, those benefits pour down. The Faculty buzzes with thought-provoking journal events, for those students who don't consider the numerous opportunities to learn in this faculty "inundating."

Rainy Days

Derek's best alternative proposal is that the LSA save its money for a rainy day. So we shouldn't financially bind the councils of the future, but we should leave them to spend this year's surplus? This strange asymmetry seems to run against the interest of every current student. Derek also thinks journals should be responsible for their own fundraising. Here he is truly amiss. The

LSA has specifically asked the journals to stop independent fundraising, so that the student body can pursue sponsors on a united front. Everyone benefits when we approach sponsors together; otherwise, journals are left to compete with the LSA, and among themselves, for funds.

Champagne Bubble Baths

For his part, Chris Durrant fans fears that corrupt journal execs will spend money on such caprices as champagne bubble baths. While I would love to see the look on Mike Mulrone's face when I submit that cheque request, the truth is our spending is anything but sensational. The money the MJLH receives from the student levies barely covers basic printing, distribution, and operational costs. These funds are only guaranteed for three years, at which point our budget could be effectively reduced to zero. We would love a bit more financial stability. We would love to pursue some special projects to increase the visibility of our young journal, to revamp our website, to publish a special issue, to not have to sheepishly ask our Colloquium speakers to pay their own travel and hotel costs. I understand the call for justification and accountability, and the MJLH is committed to making a strong case for additional funding. To begin, I am prepared to discuss our finances with any student who cares to ask. But let's try and limit the drama. We are, after all, facing a surplus due in large part to an excess of checks, balances, and bellowings. It would be wise for us to woo more peaceably.

Adrian is the Editor-in-Chief of the McGill Journal of Law and Health. He hopes to one day find the courage to audition for Actus Reus.

**DANIEL
JUTRAS**

Doyen

THE DEAN'S ALL-DRESSED FORUM

À la lecture des numéros récents du *Quid Novi*, et des propositions adoptées par l'assemblée générale de l'AED concernant des sujets qui touchent la vie facultaire, je conclus qu'il serait utile et bénéfique de créer un espace pour des discussions informelles sur des enjeux importants qui intéressent autant les étudiants et étudiantes que le corps professoral.

I have had fruitful conversations with some of you at Coffee House and in other settings, but I would very much like to hear from more of you in this kind of informal setting. Accordingly, I invite you to join me for lunch and discussion in the beautiful common room of Old Chancellor Day Hall, on four separate dates. Pizza will be served. Everyone is welcome to attend and to share views, concerns, suggestions and ideas on the topics identified below. To keep numbers (and expenses!) manageable, I invite you to sign up by sending an email to my assistant, Madame Michelle Sarrazin, at michelle.sarrazin@mcgill.ca, indicating your preferred date. I will host a maximum of 25 students on each occasion, so don't wait. Sign up now.

Voici les dates et les sujets que j'aimerais aborder avec vous à chaque « Dean's All-Dressed Forum » :

- A midi, dans le grand salon, le 12 novembre 2012 : Articling, the LSUC proposals and Other Bar Issues
- A midi, dans le grand salon, le 5 décembre 2012: Course Offerings, Scheduling, JD/LL.B., Pedagogy and Curricular Reform
- A midi, dans le grand salon, le 21 janvier 2013: French and English in the Faculty – une politique ou un mode de vie?
- A midi, dans le grand salon, le 15 mars 2013 : Grading, Learning, Feedback, and Well-Being.

Daniel Jutras, Doyen

**LEE
MCMILLAN**

Law III

INSPIRATION IS A HOT COMMODITY: TAKING CONTROL OF YOUR LAW SCHOOL EXPERIENCE

It is difficult to pinpoint with certainty those aspects of the law school experience that are most responsible for preparing us for a successful future. A student set on pursuing a career in international human rights law is likely going to benefit from far different teaching methods and experiences than one who is using his or her degree to bolster what is already an impressive corporate resume. Those students lucky enough to have discovered their calling prior to graduation might use this foresight to focus on skills, activities and readings that match up with their career aspirations. For others, their career aspirations are in fact being defined by whatever skills, activities and readings they are haphazardly falling into.

The latter scenario poses a chicken and egg dilemma that can make it difficult for a student to make the most efficient use of their time. Without a sense of where you are going, it becomes

impossible to gauge the best means of getting there. Without direction a student is prone to tackling everything at once and risk failing, or worse yet, to tackling nothing at all and guaranteeing it. Establishing a direction for yourself is a balancing exercise that requires you to discard outdated self-images and invest in new ones that align with your passions and interests for the moment. Inspiration is a hot commodity in law school, and it can often be difficult to distinguish it from fixation, obsession, and neuroticism.

One of the greatest traits law school instills in us is the ability to pan in on the minutiae of a particular legal rule, and then pan back out again and connect it to something bigger. Law school is about bringing our faculties and knowledge together in a way that promotes problem-solving and creative thinking. One of the most surprising lessons I learned this summer interning at a bou-

tique business law firm was how invaluable this dynamic process is in effectively grasping the entirety of a client's situation. It also gave me more confidence to jettison those aspects of my legal education that were hurting me, and embrace those aspects that weren't.

For example, as somebody who is beginning to feel more comfortable with the prospect of a career in business solicitation, I have found it may be worthwhile to spend more of my third year perusing case law and devoting the balance of that time to breaking down and redrafting contracts. If I were more interested in litigation I might reverse that ratio, and devote the bulk of my time to understanding how judges go about formulating common law rules. The key point here is not whether I am right or wrong about dedicating my time here or there. As a business solicitor I may very well benefit more from reading case law than from reading contracts, or from reading the Civil Code's headings as opposed to its content. Or better yet, it might benefit me most to put down the books and go have a cocktail and network that evening. I simply do not know. The best that I can do is ac-

cept that each pedagogical technique and/or experience offers a multiplicity of benefits, and that all of them are likely to add some sort of value to my future regardless of which career path I choose.

Yet, there is something that I do know, and that I can definitely say I understand, and that is my thoughts and feelings towards a particular teaching method or law school experience at a given moment. In a nutshell, I can understand what drives me to learn and be inspired right here and now, and what has the opposite effect. Inspiration is the guiding force that should determine what you do with your time in law school, and it is not confined to merely academia. Whether you are finding yourself truly motivated by memorising cases and doing well on tests; running for student government and networking with the law school community; or pondering about the legal theories of Rawls or Diderot, you are probably making a lot better use of your time than somebody who is always running against the wind.

**The Annie MacDonald Langstaff Workshop Series,
Faculty of Law and**

McGill Centre for Human Rights and Legal Pluralism

Present

**'Race' Literacy and the Legal Profession:
An Ethical Imperative for Cap, Bar, and Bench**

Esmeralda Thornhill

Professor of Law

Schulich School of Law, Dalhousie University

O'Brien Fellow in Residence

McGill Centre for Human Rights and Legal Pluralism

FRIDAY, NOVEMBER 9, 2012

12:30 PM to 2:00 PM

PAVILLON CHANCELLOR-DAY, SALLE STEPHEN SCOTT SEMINAR (SALLE 16)
FACULTÉ DE DROIT, UNIVERSITÉ MCGILL

Co-hosted by the Black Law Students Association of McGill (BLSAM)



McGill Centre for Human
Rights and Legal Pluralism

Centre pour les droits de la personne
et le pluralisme juridique de McGill

DEREK
ZEISMAN

DATUM ERRATUM

TRASH TALKIN' TIME,
MONTRÉAL STYLE

Ah, Montréal, la belle ville! A city that loves big things. The bigger, the better. Big fashion. Big dogs. Big architecture. Big ideas. Big protests. Big events. And, unfortunately, big garbage.

I love my adopted city on so many levels. Despite Montréal's seemingly perpetual economic lethargy, its long and dreary winters, and a street/highway system that can be most charitably described as "needs improvement," this is truly one of the great metropolises of Canada, North America, maybe even the world. (Though I hesitate to tar this city with the dubious title of "world-class," a notion that is as threadbare as it is meaningless.)

We in the Faculty of Law, whether lifelong residents or recent transplants, have a whole myriad of reasons to love Montréal. I was thrilled by the opportunity to move here, and aside from my hometown of Vancouver, this place is one of my favourite gems of urban life.

Back when I used to live in the nation's capital, the running joke was that "The best thing about Ottawa is Montréal." Sadly, I must report this situation has not changed over the past decade.

Similarly, whenever I travel to Toronto and spend time there, I am always struck by how quantity does not equal quality. The Big Smoke may have long since eclipsed Le Grand Smoked Meat as Canada's biggest urban beehive, but in my mind, there's simply no comparison between the two from a livability point of view. I've said it once, and I'll say it again: Toronto is just Montréal without a reason to get out of bed in the morning.

Oh, I jest. I'm sure there will be many in the faculty who cherish Toronto, Ottawa and Sackville, N.B. for a sundry host of illogical reasons, and I respect that. I just happen to think there is something uniquely special

about this icy island paradise of ours, perched in the middle of the mighty Fleuve Saint-Laurent.

But alas, no paradise is without its warts and imperfections, no matter how special it may be.

Which brings me back to one of my few substantive complaints about the City of Montréal: its apparent affinity for garbage. Or more precisely, undisposed-of, unrecycled, untreated, un-corralled garbage.

I don't know how to phrase it more diplomatically: Montréal's beautiful streets and squares are strewn not only with lovely autumn leaves, but also with trash, trash and more trash. This garbage is not only an unfortunate eyesore, but a black eye for both the city, and its citizens.

I have long been perplexed by this curious phenomenon, which I have noticed over a good 20-year period. Throwing trash into the streets willy-nilly seems to be an ingrained way of life across a wide range of city neighbourhoods, beyond the mere "usual suspects" of the Ghetto, downtown, and the Plateau.

I am mystified by this apparent disregard for the maintenance and preservation of Montréal's stunning visual beauty. Mainly I am mystified because most Montréalers tend to openly celebrate their city's aesthetic attributes. Many are openly proud of their lovely town.

Yet somehow, there seems to be a disconnect here between the notion of civic pride, and a commitment to urban cleanliness. From what I have observed, this is a fairly unique situation. Other major Canadian cities, while certainly not striving for Singaporean OCD-style levels of urban cleanliness, are nevertheless pretty tidy places, where street trash is more the exception than the rule.

I suppose the closest comparison to today's Montréal would be the Paris of ten or 20 years ago, when the inhabitants of the City of Light, despite their city's incredible urban beauty, seemed to delight in disposing of refuse in a wanton manner, and leaving their uncollected doggy-dooes strewn about the streets, awaiting the shoes of unsuspecting tourists.

Paris long had a well-deserved reputation as a splendid but fairly filthy European capital. This image must have eventually worn on visitors to the city (who provide such a great source of revenue to the locals), because in recent years, the city has made a concerted effort to clean up its streets, and in so doing, clean up its image.

Following Paris's lead, the time has come for Montréal to undertake a similar initiative. Urban beautification is not just about lovely old buildings and lush summertime landscaping. It is also about sending a welcoming message to visitors and locals alike, by keeping our streets neat, tidy and welcoming.

This initiative must start with individual citizens doing their part to dispose of refuse in a responsible manner. But it will also require major buy-in from our municipal government, in the form of more garbage receptacles, more frequent street cleaning, and improved trash collection practices on the part of city sanitation workers, who are not always known for their fastidiousness. Furthermore, if necessary, the city may have to take a more vigilant approach towards enforcement, whether through new or pre-existing bylaws.

Montréal is big and beautiful, but it could be so much more. For that to happen, we will first have to collectively admit we have a problem, and engage in some honest "trash talk" aimed at scrubbing this amazing city clean.

**CHARLIE
FELDMAN**

BCL/LLB '11

REPORT OF THE GRADUATION COMMITTEE 2010-2011

Introduction

Shakespeare famously wrote a play entitled *All's Well That Ends Well*. While it may have ended well, if the work of the Graduation Committee (2010-2011) were a play, it would likely be entitled *A McGill Horror Story*, and it would most certainly be in the genre of the *Théâtre de l'Absurde*.

That's not to say everything was awful – indeed, 3/4ths of our primary mandate went off without a hitch. But, when it turned south with McGill bureaucracy during the competition of our last task – delivering the Class Gift – things went off the rails. That is what this report seeks to address in detail, as the other portions of our mandate were reported to the student body and LSA in editions of the *Quid Novi* from the 2010-2011 academic year.

En tant que président du Comité de graduation de l'ÂÉD (2010-2011), j'ai l'honneur de vous présenter notre bilan final. La Constitution de l'ÂÉD et ses Règlements en vigueur au moment de la formation de notre comité nous exigent – comme tous les comités de l'ÂÉD – à faire un rapport final. Étant donné que notre « cadeau de promotion » a été dévoilé il y a deux semaines, notre travail est finalement terminé.

Before going any further, I would like to thank Dean Jutras for his support of our efforts and Margaret Baratta for her hard work and dedication. Margaret deserves flowers, a fruit basket, foot rubs – whatever she wants. While I do make fun of her e-mails – particularly those that read along the lines of “The middle stall in the women's washroom downstairs will be closed between 3am and 3:25am Sunday morning for cleaning” – without her, none of this would have been possible.

N.B.: Since our committee formed in spring 2010, a new version of the LSA Constitution and By-Laws has been promulgated, changing the mandate, composition, and reporting requirements of the Graduation Committee. The recommendations herein may thus not be entirely applicable – or relevant – to the current committee or future committees. (In the interest of full disclosure, I recommended these changes as an LSA Council Member during the revision and consolidation process for the Constitution and By-Laws).

Composition and Mandate

The Committee was comprised – per By-Law – of the then-serving 3L and 4L class Presidents. The 4L Presidents were Tim Bottomer and Firas Ayoub. The 3L Presidents were Viviane Lentz and myself, Charlie Feldman. By-Laws permitted the committee to add persons as needed for various subcommittees; the only additional person involved in the committee's work was then-3L Suzanne Amiel, who assisted with contacting potential venues for the Graduation Ball.

Bref, notre comité était chargé (selon les règlements applicables à l'époque) de faire quatre choses en particulier : coordonner la prise des photos des finissantes, aider avec la processus de sélection pour le major de promotion, planifier le bal des finissantes, et livrer le cadeau de promotion.

As a note of historical interest, the Committee, under the old By-Laws, was also responsible for helping with the Yearbook (there has not been one in ages) and producing a “Legacy Report” in conjunction with the Faculty (nobody was sure what this meant and not a single one could be found to serve as a model). These relics of previous LSAs are no longer with us, though a yearbook would be nice if anyone feels so inclined to revive this tradition (the faculty yearbook, hilariously enough, used to be called “*res ipsa loquitur*”).

The Good News: First Three Items Without a Hitch!

The work of the Graduation Committee is well documented in issues of the *Quid Novi* from 2010-2011. It need not all be repeated here, suffice it to say the class photos went well (you can see our Class Mosaic in the hallway by the Dean's Office) and the valedictorian was elected (and nobody seemed to mind our minimal involvement in determining requirements for running and nomination). As far as the Graduation Ball, I'd like to give ourselves a pat on the back for an amazing evening at the Rialto Theatre, attended by over 200 people! That's more than were in the Graduating Class! (I suppose \$45 tickets for an open bar and finger foods didn't hurt either).

Recommendations and Lessons In Relation to Initial Mandate Items

Biggest Lesson Learned: We learned that no matter how many reminders you have on the listserve, in the *Quid*, on posters around the Faculty, etc., law students are last-minute people.

**MICHELE
LAMARRE-
LEROUX**

A MIFA SUCCESS

MCGILL INTERNATIONAL FOOSBALL ASSOCIATION

Au nom de la MIFA, je suis fière de vous annoncer que le total amassé dans le cadre du tournoi de baby-foot du 18 octobre passé est de 1001,63\$.

Grâce à votre générosité, tant en achetant des billets de tirage qu'en vous inscrivant au tournoi, MIFA pourra faire un don considérable à Right to Play Canada.

Je tiens tout particulièrement à remercier tous les volontaires qui ont rendu possible cet événement. Sans tous vous nommer, vous vous reconnaissez!



Aussi, un énorme merci aux commanditaires qui ont appuyé la cause:

Davies Ward Phillips & Vineberg LLP pour son don de 500\$

DLiche Cupcakes pour les certificats-cadeaux et les cupcakes à prix réduit

Lola Rosa pour les quiches gracieusement offertes

Samsung pour les téléphones

Pub Saint-Paul pour le certificat-cadeau

Smoke's Poutinerie pour les coupons et les t-shirts

Merci encore à tous d'être venus en

grand nombre au Coffeehouse, d'y avoir mangé et bu, et surtout, d'y avoir eu du plaisir! On se revoit autour d'une table de baby-foot et au tournoi l'année prochaine!



...AND OF COURSE, CONGRATULATIONS TO THE
WINNERS OF THE MIFA CUP!

YOU ROCK!!!

MESSAGE TO THE 5 WINNERS OF THE DLICHE CUPCAKE GIFT CERTIFICATES @ MIFA CUP:

If you won a gift certificate to DLiche cupcakes on Thursday October 18th, please send me an email so I can give you the real certificates that we have received!

Merci! Michele.lamarre-leroux@mail.mcgill.ca

CONTINUED FROM PAGE 9

It amazed us that people who want to enter a precise profession where days matter (prescription periods, what?!) seem oblivious to the passage of time, as evidenced by people missing out on photos despite MONTHS of notice, as well as the staggering number of last-minute Grad Ball ticket purchases. Sadly, there is no recommendation to solve this, except maybe more in class announcements and possibly public shaming... :-)

Recommendations re: Photos

The primary recommendation is that the out-going Graduation Committee should arrange the photo contract for the next year. As such, students on exchange can do their photos over the summer or at the end of spring, instead of having this January back-in-Montreal awkwardness, particularly for those doing the program in 3.5 years and graduating abroad. It would also allow people in the graduating class to take photos at the start of the semester (instead of waiting for a contract in the middle) and can thus be pictured with summer tans. :-P

Professors should also be encouraged early to consider retaking their shots. I am not suggesting that the stock photo of a

professor taken years ago and featuring both shoulder pads and a Jheri curl isn't a welcome addition to the mosaic (I'm not naming names, sir), but we do want to remember you as you looked this year, not in what was passing for fashion in 1992!

Recommendations re: Grad Ball

Le secret? Le bal doit avoir lieu pendant le semestre. Les Comités de graduation des années précédentes ont souvent fait un sondage auprès des élèves, leur demandant d'indiquer leur préférence pour une date pour le bal (soit avant ou après les examens). Malheureusement, au moment du sondage et même au moment où il faut signer le contrat pour l'endroit où aura lieu le bal, les élèves ne sont souvent pas en mesure de connaître leurs plans pour l'été. Pour maximiser le nombre d'étudiants qui viendront au bal, il faut vraiment choisir une date où on peut prendre pour acquis que les étudiants seront encore à Montréal puisqu'ils seront obligés d'être en cours. À notre avis, le moment idéal est avant la fin des cours, soit fin mars ou début avril.

Simply put: Plan it during the semester a few weeks before exams (but after Skit Nite). Have the DJ play songs from the

last four years so people get nostalgic about what they partied to in 1L. INVITE ME. LAMED BECAUSE SHE IS A GREAT DANCER. (Oh, and invite the other Profs too, even if few can make it.) Also, be sure the LLM and PHD students are invited – they will come!

Recommendations re: Valedictorian

The LSA (in conjunction with the CRO) may want to investigate changing the voting process for valedictorian. There were three themes that came up too late in the year to do anything about them. First, it may be appropriate to have some sort of candidates forum for valedictory candidates, particularly as there were many “I didn’t know so-and-so spoke French” concerns that could have been resolved by allowing each candidate to express himself or herself before their peers in both languages. Second, it may be appropriate to have run-off elections, particularly in our year when ELEVEN people ran. While I understand from the then-CRO that there was a clear winner, the possibility for vote splitting with that many candidates may mean that the LSA should – as a rule – put in a safety valve to the effect that in any election for any post with five candidates or more vying for one slot, there will be a run-off of the top three vote-getters (or something along these lines). I do realize that this would necessitate calling slightly earlier elections to respect some other By-Laws, but I do believe such a mechanism should be put in place.

Lastly, there is a question of whether the whole process is fair for 3Ls graduating in three years, given that the majority of the electorate (4Ls) may never have had any classes with them, and 3Ls make up such a small percentage of the graduating class. The solution to this problem isn’t clear, but instituting the run-off provision may help somewhat.

General Recommendations

The “graduating class” should be defined in the By-Law. This would obviate the need for any valedictorian work on the part of the Committee while also providing consistency and clarity to students. Simply put, the By-Laws should note (in cleaner language than this) that if we’re in the academic year X through X+1, those who are pictured in the mosaic for the year X+1 must graduate in August and December of X or June of X+1. Similarly, those who can run for valedictorian (as well as those who can vote) are those graduating in August of X, December of X, and June of X+1. The same applies for who can vote for Class Gift. Simply put, this would eliminate all the awkward language of “A 3L graduating in 3, a 4L graduating in 3.5 or 4” as well as complex situations such as those students who are also enrolled in the MBA program.

As well, the Committee should have a clear and specified

budget (akin to Class President allocations). The Class Presidents should also have the power to divert their class funds into the Graduation Committee fund. The Grad Ball is the largest expense and is not paid for by firms (their view is that such an event is not ideal for sponsorship given that most students by that point in their academic career have a job secured and as such do not lend themselves for recruitment opportunities). As such, a flat budget should be in place so that the limits are known and the Committee can plan accordingly, instead of either assuming they have no budget or dealing with finance questions as they arise. This is not to say that we had a problem with any of the financing of our efforts (we were under budget, and Laurie was a great VP-Finance), but both future Graduation Committees and the LSA would benefit from having a clear number in advance (perhaps \$5000) around which everyone could plan.

Where it All Went Wrong: The Class Gift

The goal of this report is not to lay blame with any individuals; no good would come from that. Rather, the goals are: A) to fulfill our reporting requirement, and B) to make recommendations for improvement such that the experience of our committee can be a lesson for everyone.

Our By-Law stated that we were to consult with students on the Class Gift. We asked numerous times for ideas and received some interesting submissions, such as carpeting for the atrium (a TERRIBLE idea) and new lockers (too expensive for us as a Committee, but I’m happy the faculty did this with money from the Print Credit fund).

As a result of the consultation and vote of the class, we went with planting a tree. It was going to have a plaque calling it the “Living Tree” because we’re constitutional law nerds. While there had been some discussion of trying to make that happen by the 2011 Convocation, it became clear there were many hurdles to go through with McGill first – who knew the campus had a botanist and horticulturalist?

The tree plan was put on hold that summer, efforts to be continued in the fall when everyone would be back at school. That fall, however, the MUNACA strike occurred and it became very difficult to advance this matter with McGill bureaucracy (understandably).

As a first point of reflection here, I have to note how upsetting it was that some who were not on strike were entirely unresponsive during this period. Certainly, I realize the strike put burdens on people, but there was one person in particular – again, not on strike himself – on lower campus who received four e-mails from me (spaced out over several weeks), three phone calls (I left voicemails), two faxes (I was getting

LUDOVIC
BOURDAGES

AFFECTION AUTOMNALE

Les feuilles se colorent
au rythme de nos baisers

vert
le vent joue du violon
avec nos corps
allongés dans l'herbe


rouge
ton visage au froid
se blotti et se réchauffe
contre mes lèvres

orange
le coucher de soleil
brille sur ton ventre
incendié sous le mien

jaune
la noirceur nous couvre
dans ses draps étoilés
jusqu'au réveil.



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desperate!). and finally a certified letter, and I never received an acknowledgement of any of it. While I realize the university cannot be responsible for individuals failing to meet basic societal norms for fundamental human communication, it can provide an organization chart on its website so that when I tried to contact this individual's supervisor, I wasn't searching in the dark and calling strangers, many of whom had never even heard of the person in question, and others who simply were not sure who was in charge of what.

Notre histoire de cadeau de promotion a changé son trajet avec la mort d'une de nos finissantes. Après le décès d'Alexandra Dodger, il était clair que les gens voulaient faire quelque chose pour célébrer sa vie. Certains ont entrepris le processus d'établir une bourse en son nom et l'AÉD a créé un prix en son honneur. Pour nous, les finissants, le choix était évident: on voulait dédier notre arbre à sa mémoire.

Pour commencer, on a envoyé des messages au Doyen, à Margaret, et aux responsables au lower campus. Avec l'accord de tout le monde, on a alors révisé notre texte. Suite à des discussions avec les responsables, la décision a été prise d'utiliser un arbre qui avait été récemment installé à l'extérieur de la faculté, ce qui nous permettrait d'utiliser nos fonds pour un banc et la plaque.

On a rédigé un texte bilingue (deux lignes en anglais, une en français) et on a obtenu le consentement de McGill. Notre but à ce moment-là était de dévoiler notre cadeau au moment de la collation des grades en juin 2012. Simplement dit, la vie à lower campus marche à un pas très, très lent. On a donc perdu la chance de terminer notre projet à ce temps-là.

Here is where it gets interesting. Thanks to Margaret being on top of it, she wrote to her contacts to figure out just what was going on. Having heard that our text was approved, our assumption was that the plaque would be made. We could not have been more wrong.

It seems that even when you get a "This looks great!" from McGill, it does not mean they will actually work on it. In their defence, one of the key people involved in this project did leave his post during this time and apparently told his successor nothing of our project. But the reason we were given for the delay was mind-blowing: Our sign text did not comply with la Charte de la langue française.

I will spare everyone a long rant here and sum up the points: I love la Charte de la langue française, but McGill really does not comply with the Charte in its signage (though they are

apparently changing things over). We really disagree with the interpretation McGill has of the Charte, which reads as follows:

58. L'affichage public et la publicité commerciale doivent se faire en français.

Ils peuvent également être faits à la fois en français et dans une autre langue pourvu que le français y figure de façon nettement prédominante.

59. L'article 58 ne s'applique pas à la publicité véhiculée par des organes d'information diffusant dans une langue autre que le français, ni aux messages de type religieux, politique, idéologique ou humanitaire pourvu qu'ils ne soient pas à but lucratif.

Simply put, we read art. 59 as applicable to a plaque in remembrance. Rather than get into a huge fight with McGill and delay this project, we sent a bilingual text to McGill. I will note that the final plaque - approved by McGill - still does not comply with the exigence in art. 58 that the French be predominant. But McGill not following its own dictates is the least of my worries. The issue is that McGill sat on this sign for several months without informing us of any change in its policy.

Certainly, there were other considerations here that should have been addressed (beyond our contention that art. 58 does not apply to this plaque by virtue of art. 59). One concern was, for example, if it wouldn't be appropriate to have the plaque be primarily in the language that Alex's family spoke, namely English, particularly if they were to be present at its unveiling.

I still do not have an answer from McGill as to when this policy went into place and when they planned on telling us; if Margaret had not inquired, it is quite possible this plaque would still not have been made. To be clear: If McGill said that it would follow the Charte from the moment we submitted the text (instead of saying it was fine), we would have been more than happy to discuss ways of accommodating this.

So, why did we give in?

Beyond not wanting to make an issue of language, time was short. Why? Because McGill announced the plaque unveiling to all students as part of the Homecoming Celebration without checking with us first. Yes, I, leading this project for the Graduation Committee, found out that the plaque - which

had yet to be created – was going to be unveiled at the same time and in the same manner everyone else did; in an e-mail to all students about Homecoming.

To be clear and fair, there had been discussions of events in October around the first anniversary of Alex's passing once it was clear that the project would not be completed for Graduation; however, nothing (pardon the pun) was set in stone. Certainly, no details in terms of time and date were set. And it upsets me that nobody reached out to us in terms of the program for the unveiling, though I am quite pleased that the Dean, Dina Awad and Gregory Ko delivered moving and meaningful remarks.

Letting us know – or better yet, consulting with us before announcing it to everyone – could have helped us ensure that more people were aware of the event while also allowing for more tailored conflict checking, i.e. ensuring no conflict with bar exams (which may not have been on the radar of the Homecoming planners). Moreover, such consultation would have allowed us to plan the event as we wished and ensure those who needed to be invited were made aware – or also consulted – in the planning process as appropriate.

The main lesson here is that when you have too many people doing different but interconnected things and not communicating with each other, issues are bound to arise.

It is true, as mentioned in the introduction to this report, that all ended well. The plaque arrived on the Thursday, was installed on the Friday and unveiled that Saturday. I'm happy that there were not any spelling or installation issues. I honestly think it is a stroke of sheer luck (and Margaret being awesome) that this pulled itself off, but it was way too close for comfort, and the whole situation still does not sit well with me or with members of the Committee. I do not want to detract from what is there now by listing anything more in my litany of complaints. Simply put, I would never wish this bureaucratic nightmare on my worst enemy.

In the interest of full disclosure, the question of payment remains for the gift and its installation. Funds were allocated on the LSA side, combining our Class President budget (which was rolled into the Grad Committee budget) with a separate commitment of the LSA Executive of the following year (THANK YOU, CATHERINE AND MIKE!!). I believe Margaret will soon be submitting the bill to the LSA, which I trust will reimburse the expenses in short order.

Recommendations re: Class Gift

The consultation obligation should be better defined. Does

the LSA want this to mean a vote of graduating students, or simply that the committee asks around? Moreover, the Class Gift should be explained: either defined in the By-Law or with an explanatory note somewhere. In that regard, it may be that the LSA should create a document that is either a glossary or compendium of explanatory notes (i.e. something non-binding) so that future LSAs are able to find out what has been done in various regards and see examples. Simply put, many 'Best Practices' have just been passed down from committee to committee, but some are not so lucky and not every committee publishes a report (despite the obligation). The LSA should compile and keep these so that incumbents to positions need not reinvent the wheel annually. For the Class Gift, there should be a list somewhere so that people are aware of what has been done (2010 Criminal Law Prize, 2011 Memorial Plaque, 2012 donations to the Alex Dodger Bursary, etc), just so that people know.

J'aimerais aussi suggérer que l'AÉD doit considérer s'il faut noter qu'un cadeau de classe doit servir à des fins « durables » ou « accessibles ». Par exemple, si on crée un prix et il y a une collecte de fonds, il se pourrait que l'argent soutiendrait ce prix pendant une année seulement, ce qui voudrait dire que juste un(e) étudiant(e) pourrait en bénéficier. À mon avis, ceci n'est pas le but d'un cadeau de promotion. On veut quelque chose qui va durer longtemps et auquel tout le monde pourrait y accéder ou s'en servir.

De plus, l'AÉD doit préciser comment faire la collecte de fonds. Est-ce que l'AÉD fera un don? Comme mentionné ci-haut, on suggère que l'AÉD indique le budget pour le Comité de graduation. En changeant les règlements, il serait une bonne idée d'indiquer une date finale par laquelle il faut annoncer le choix de cadeau. Si on attend les élections au printemps pour demander l'avis des finissants, il sera trop tard pour ramasser des fonds car les finissants se préparent déjà pour les examens, et ceux qui ont terminé leurs études au mois de décembre auront déjà quitté la faculté. Alors, il est suggéré que les règlements précisent que le choix doit être fait avant la fin décembre pour que le comité puisse utiliser le semestre de printemps pour faire la collecte de fonds et peut-être même dévoiler le cadeau (s'il y a lieu) lors de la collation des grades.

As far as recommendations for McGill generally, communicate more with students, particularly with those trying to engage you, and be clear and transparent about who is doing what. The sign people should have told us there was a problem. Homecoming folks should have reached out to us. The plaque people somehow also did not know that the unveiling had been scheduled. There were communication problems

all around on this, and I can't pretend I am blameless either, but as we say back in my home state of Maryland, "Dang, this was just real awful y'all."

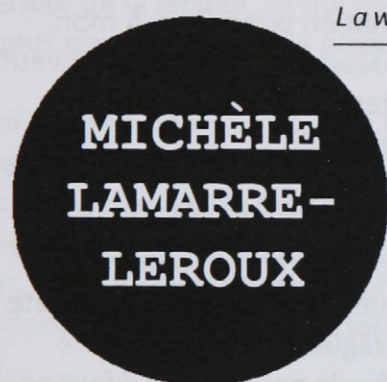
To be clear, I am not trying to impute bad faith on anyone. I do not think anyone deliberately tried to slow this down – in fact, if anything, the Homecoming folks sped things up by scheduling the unveiling. The long and short of it is that after a series of great experiences with McGill, this was nothing short of exasperating and makes me want to have nothing to do with lower campus McGill ever in my life (though I still have mad love for the Faculty of Law!).

Conclusion (shout-outs)

We came, we saw, we conquered. Thank you to every single member in the Class of 2011 for taking a photo, going to the ball, telling us your ideas for the gift, or – if you did none of those things – for simply being you. A huge thank you again to my fellow Committee Members: Viviane, Tim and Firas, and Suzanne as well. Thank you also to the LSA Council and Executive (2010-

2011), particularly then-President Hoffman and the then VP-Finance, Laurie. Thank you as well to the 2011-2012 LSA for the funding commitment towards this project and work on the Bursary. And, as always, thank you to the Dean and Margaret, and anyone else who had a hand in our efforts anywhere along the way.

Please feel free to direct any questions, comments, or concerns to me directly: charles.feldman@mail.mcgill.ca. And best of luck to this year's LSA and Graduation Committee in the completion of your mandates.



Law III

MUSIQUE POUR L'ÂME

STUDENT WELL-BEING COMMITTEE

Je suis allée à la bibliothèque pour faire mes lectures pour la première fois depuis le début de la session la semaine passée et j'ai été surprise de constater qu'il s'agissait aussi de la première fois de la session que je faisais des lectures sans musique.

Pour tous ceux qui comme moi ont toujours de la musique de fond durant leur étude, il est bien de varier! Il peut faire du bien à son cerveau de faire une session dans le calme, dirigeant notre focus complètement sur nos lectures sans autre stimulus. L'important, à mon avis, est de varier, autant les styles de musique que l'absence ou la présence de musique. Vous aurez ainsi moins l'impression d'être toujours exactement dans le même état d'esprit quand vous étudiez, ce qui peut devenir lassant. De plus, si vous écoutez toujours la même musique pour lire, hauts sont les risques que vous ne puissiez plus écouter cette musique dans d'autres contextes, car elle vous rappellera de mauvais souvenirs!!

Je souhaite aussi souligner l'importance de choisir la BONNE musique. Effectivement, ce ne sont pas toutes les musiques qui sont propices à l'étude. Voici une petite liste d'aspects à considérer dans le choix de musique avec, pour conclure, des suggestions de sites. Bonne écoute et bonne lecture à la bibliothèque!

P.S. cette liste est basée autant sur des expériences personnelles que des lectures rapides d'études diverses sur le sujet, donc à prendre avec un grain de sel!!

PAS DE PAROLES : Votre cerveau essaie déjà d'assimiler les paroles des juges, n'allez pas le mélanger avec les paroles de « Call me maybe » ou autre touné pop de l'heure! C'est reconnu que les paroles, surtout celles des chansons que vous connaissez, sont une distraction. La musique classique ou de guitare acoustique sont des valeurs sûres. Le jazz (pas trop flyé) et la musique africaine sont aussi des coups de cœur personnels.

De bonnes transitions : Idéalement, vous ne devriez pas avoir à trouver votre prochaine chanson sur Youtube à chaque fois! Ainsi, même si vous avez votre propre playlist sur iTunes, l'idéal est que vous ne vous aperceviez pas que les chansons changent, pour ne pas distraire votre lecture et vous faire perdre le fil à chaque changement. Pour cela, les playlists de « bons » DJ sont généralement assez bien faites!

Un rythme de fond constant : On revient encore à l'idée de limiter les distractions causées par la musique. Le rythme de fond permettra à votre cerveau de se mettre dans un certain « mood », alors si vos chansons changent du gros techno au petit violon, vos cellules grises ne sauront plus sur quel pied danser!

Des bons écouteurs : N'affecte pas le choix de musique, mais ô combien primordial pour donner tout son effet à la musique que vous écoutez (sans déranger votre voisin).

Sites suggérés:

Grooveshark

<http://grooveshark.com/>

Soundcloud

<http://soundcloud.com/>

Espace Musique – 100.7 FM (Bonne sélection de jazz)
<http://www.espace.mu/Espace-Musique/>

Radio-Classique Montréal – 99.5 FM
<http://www.cjpx.ca/cjpx/index.php>

CBC Radio 2 – 93.5 FM
<http://music.cbc.ca/#/radio2/>

Galaxie (needs a specific internet provider)
http://www.galaxie.ca/en_CA/

Mixpod
<http://www.mixpod.com/>

RECETTES POUR LA SEMAINE

Saucisses italiennes aux raisins ou aux figues

Préparation : 2 min.

Cuisson : 20 min.

4 portions

Ingrédients:

600 g de saucisses italiennes

45 mL d'huile d'olive

750 mL (3 tasses) de raisins rouges ou figues

Sel et poivre

Préparation :

1. Dans un grand poêlon, chauffer l'huile et y faire revenir les saucisses jusqu'à ce qu'elles soient dorées.

2. Faire des incisions ou couper les saucisses en morceaux

3. Poursuivre la cuisson jusqu'à ce que les saucisses soient presque cuites

4. Ajouter les raisins ou les figues

Si avec raisin:

Cuire environ 10 minutes à feu élevé jusqu'à consistance sirupeuse.

Si avec figues:

Cuire environ 5 minutes pour réchauffer les figues et finir la cuisson.

Poivrons farcis au fromage

Préparation : 15 minutes

Cuisson : 15 minutes

4 portions

Ingrédients :

4 poivrons verts

1 ½ tasse de fromage cottage

1 tasse de riz brun, cuit

2 c. à table de Ketchup

1 c. à thé de sauce Worcestershire

Origan

Sel, poivre

2 c. à table de fromage parmesan râpé

Préparation :

1. Couper les poivrons en deux, les évider

2. Cuire dans l'eau bouillante 3 minutes


3. Égoutter

4. Mélanger le fromage, le riz, le ketchup, la sauce et les assaisonnements

5. Farcir les moitiés de poivrons de ce mélange

6. Saupoudrer de fromage

7. Cuire au four 375F, 15 minutes



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National Post, March 15, 2012 (comment from Chambers and Partners on Blakes winning Canada's Law Firm of the Year Award)

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Who's Who Legal Awards 2012 (on Blakes winning the Canada Law Firm of the Year Award)

"Blakes leads legal firms for Canadian merger advice"

The Globe and Mail, January 5, 2012

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LAWYERS

KAI SHAN HE

PROFESSOR POTTER ON CHINA'S LEGAL CHALLENGES

Last Tuesday, Oct. 23rd, we had the pleasure of welcoming Professor Pitman Potter to McGill. Prof. Potter teaches at UBC Law Faculty and is the HSBC Chair in Asian Research at UBC's Institute of Asian Research. He is the leading Canadian specialist on PRC and Taiwan law and policies.

As we hosted the talk jointly with the Canada China Business Council, we had a surprisingly mixed audience, composed of professionals (some lawyers from Norton Rose), fellow McGill law students, and other McGill students. We even had a reporter from the McGill Tribune (I'd like to see it as a sign that APLAM is reaching people beyond the Fac!).

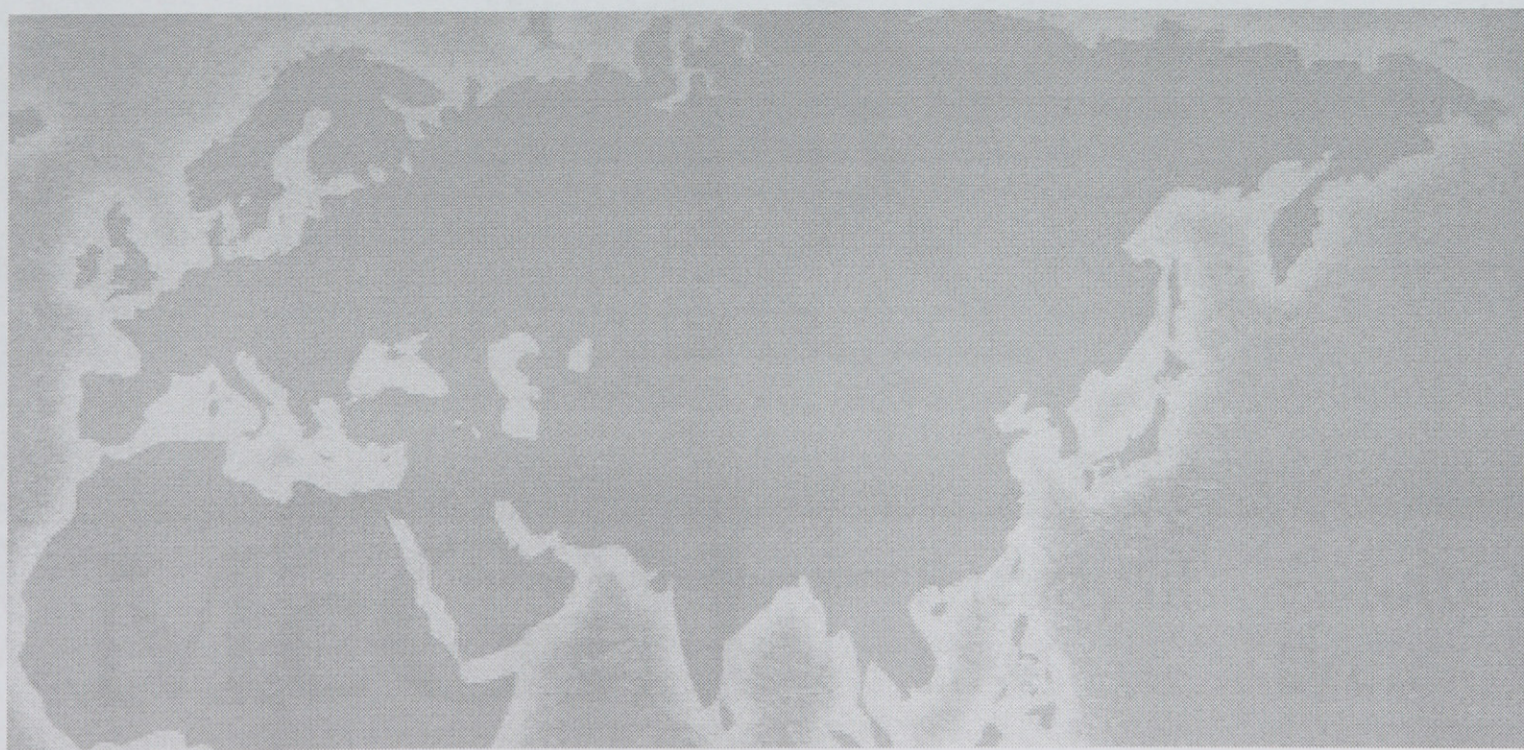
Prof. Potter started off by introducing himself in French and then greeted the audience in mandarin. His talk focused on the challenges faced by the Chinese legal system. He used the recent Bo Xilai crisis as an example to explore the particular cultural and political aspects of Chinese law. For instance, he points out that the main reason for Bo's prominence in the Communist Party was that his father was an Elder of the organization. Although the notion of connections (affectionately known as *guanxi* to insiders) is not new to China, it certainly raises questions of legitimacy and transparency, and greatly undermines the rule of law. Believe it or not, China actually has a very formal regulatory system; the problem is – it also has an informal one, and that includes political anti-corruption campaigns and the Party's own disciplinary measures.

This relationship between the Party and the rule of law is very interesting. With the leadership of the Party being cited as a principle in the Constitution, what are the dynamics between the Party and the law? Are Party Elders subject to the rule of law – or do they become so only once they get stripped of their Party membership (and the informal privileges that accompany it)?

And what is a "socialist" rule of law? On that note, Prof. Potter suggested that China has a "patrimonial" government – it is responsible 'for' its People instead of 'to' its People. Therefore, many of the laws are shaped by policies and objectives the government is trying to achieve. While official mainstream media tries to "maintain ideological unity", the control of information has led to a rumour mill running in Weibo, the (largest) Chinese equivalent for Twitter. And with a touch of amusement, Prof. Potter observes that "if there are competing sources of information running out there, that means the government didn't achieve its goal of information unity".

On a final and merrier note, I have learned (from a reputable source on Weibo) that the level of corruption trend of gift-giving has been in decline recently in China. Indeed, with the change of leadership coming up in November, people are uncertain of whom to bribe give gifts.

Kai Shan is VP Events for APLAM.



JOEL KWAN

ACTUALITÉS D'APLAM

L'acquisition des îles Senkaku /Diayou situées dans la mer de Chine orientale par le gouvernement japonais a suscité de nouvelles manifestations anti-japonaises en Chine dans les dernières semaines. Les vives réactions provoquées par ces petites îles inhabitées pourraient paraître démesurées pour certains, mais l'histoire des relations sino-japonaises peut aider à comprendre.

La Chine considère avoir vécu un siècle d'humiliation (1839-1949) qui a été déclenché par les guerres de l'opium avec le Royaume-Uni et s'est poursuivi avec les guerres sino-japonaises avant de culminer avec le massacre de Nankin durant la Seconde Guerre mondiale. Les forces japonaises ont occupé la Chine jusqu'à leur capitulation en 1945. C'est dans ce contexte historique chargé de ressentiment et mépris que les réactions dans les rues de la Chine doivent être comprises.

Sur le plan géopolitique, la Chine se voit donc reprendre son rôle comme force importante dans le monde et il est clair que toute atteinte à sa souveraineté est perçue comme une attaque envers cet objectif. Ainsi, bien que le gouvernement japonais ait acquis

les îles d'un groupe de Japonais nationalistes pour prévenir une situation encore plus tendue, les Chinois ont interprété ce geste comme un affront envers leur peuple.

Mais si l'on recule dans l'histoire des relations sino-japonaises, il est intéressant d'apprendre qu'il y eut un temps où les deux pays entretenaient des relations diplomatiques étroites. Pendant une période de 300 ans (600-900 AD), les Japonais ont envoyé des diplomates en Chine pour en apprendre davantage sur le système de gouvernance, la culture et l'éducation. Plusieurs aspects importants de la société japonaise sont aujourd'hui un héritage direct de ces relations. Par exemple, les valeurs confucéennes, la religion bouddhiste et même le système écrit japonais ont été influencés par la Chine.

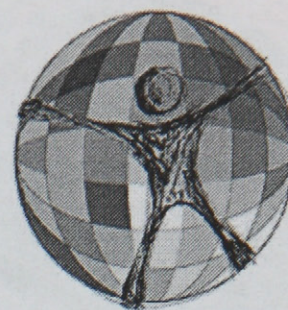
Pour le moment, il semble que ces deux pouvoirs régionaux soient irréconciliables. Plusieurs obstacles demeurent présents avant de même songer à un réchauffement des relations sino-japonaises. Mais, avec du recul, il est possible de dire que peu sépare la Chine et le Japon.



Le symbole pour l'amitié en chinois et en japonais

Equal Citizenship for Persons with Disabilities: Recognizing Legal Capacity

McGill Centre
for Human
Rights and
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Nov. 7, 2012 | Stephen Scott Seminar Room (16),
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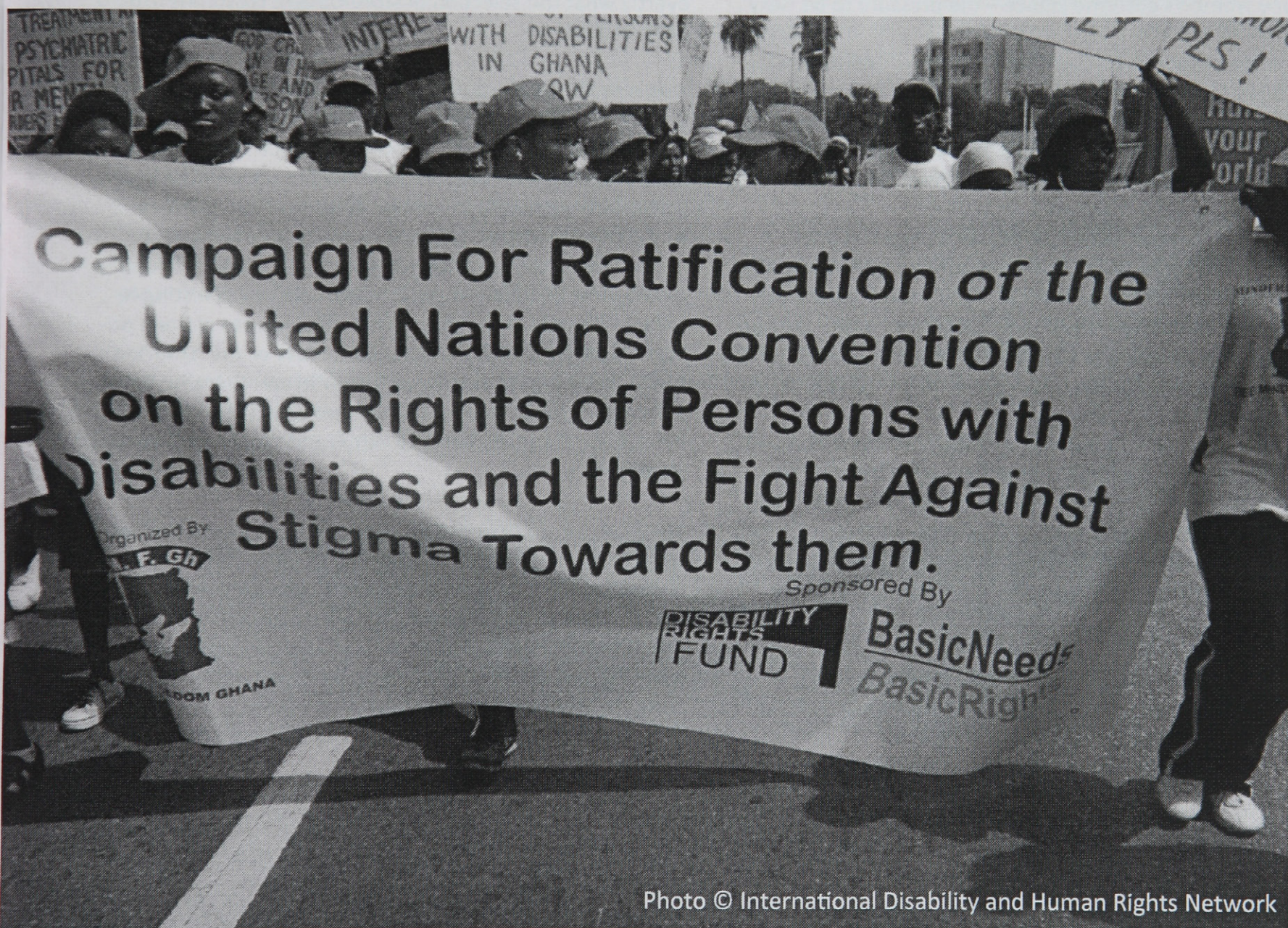



Photo © International Disability and Human Rights Network



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ALLISON
RENDER

CANDY-COATED SEXISM: THE PROBLEM WITH COMMERCIAL HALLOWEEN COSTUMES

Halloween, if the film *Mean Girls* can be believed, is a time when women can wear revealing clothing without being subjected to the slut-shaming they might get for dressing that way on November 2nd. But even if that unlikely statement is true, a different kind of social pressure still affects many women's costume choice – the pressure to be 'sexy'.

Last week I received a flyer from the store "Halloween Expert" in my mailbox. A casual glance was enough to reveal the problem. It showed six costume categories: boys, girls, men, couples, plus sizes...and 'sexy'. Needless to say, 'sexy' was the only category featuring exclusively women.

If you are going to label a particular category as 'men', it only makes sense for its counterpart to be labeled 'women'. By using the label 'sexy' instead, this flyer denies the existence, or at least the importance of, women other than as sexual objects. Apparently there was never a woman born who didn't want to show cleavage or thigh on Halloween.

Perhaps we ought to applaud this store for its honesty. All of the women's costumes in the flyer were 'sexy', even those in the couples and plus-size categories. By labeling women's costumes as 'sexy', the advertisers were just making that clear, in case we couldn't tell based on the short skirts and plunging necklines.

The labeling and selection of costumes is, of course, partially a function of gender stereotypes – hence the large number of superhero and action star costumes in the men's category. But only the women's category was so limited that the single adjective 'sexy' could accurately describe all of it.

To be clear, there are many women who want to dress 'sexy' on Halloween, and I have no problem with them doing so. I've certainly worn short skirts with some of my costumes in the past. But women's choices shouldn't be limited to short skirts and plunging necklines. Halloween is about fantasy and self-expression. We get to try on different

identities, make a joke, or express a side of ourselves we don't usually show. By reducing the range of possibilities to a particular type of sexuality mostly drawn from pornography and other male fantasies, this type of advertising denies women the ability to determine their own identities. It does overtly what the selection of store-bought costumes usually does implicitly.

This isn't the only example of sexist Halloween advertising. It's just one that I happened to come across. But it's a symptom of a broader disease. It incorporates certain assumptions about women's desires and roles in society that are particularly prevalent in popular culture: that we are objects and not independent actors. Most commercial Halloween costumes are drawn from popular media, especially movies and TV, where there is a shortage of interesting female characters. If the source material features women primarily as the girlfriend, the sexual fantasy or the 'Smurfette' (the only significant female character in an otherwise male-dominated story), there won't be as many costumes that fall outside the boundaries of 'sexy', and there won't be as much choice.

What can we do? We can avoid shopping at stores that advertise this way. We can expand the range of options by making our own costumes. We can encourage and support the development of popular media that tell women's stories. And we can avoid pressuring women to express themselves within the limited range defined in popular culture as 'sexy'. In other words, enjoy Halloween – but try to make sure that everyone can enjoy it as much as you do.

P.S.: I didn't buy a costume this year – but not because of this ad. I'm going as Katniss Everdeen from *The Hunger Games*, one of the few strong female characters in young adult literature, and one whose translation to the big screen was thankfully made without the gratuitous (and impractical) tight leather, spandex and high heels too often worn by female action heroes.

OVERHEARD AT THE FAC

Prof.: Did the Court say "de jure"?

3L: No.

Prof.: Let's not use any more Latin than necessary.

Prof.: You seem mystified... I assume you do read cases outside of class?

Class: [loud laughter].

Prof.: Believe it or not, life is a bit different from law school.

2L: These overheards are not funny, let's make up overheards. Let's sit in my room and overhear things.

3L: I'm gonna submit that as an overheard.

2L: This is an overheard mindfuck!

2L : La caf  t  ria ou les machines distributrices vendent des boissons   nergisantes, n'est-ce pas?

2L : Oui, la caf  t  ria.

2L : Y a-t-il une limite de canettes par client?

2L: Toi, comment es-tu le plus    l'aise?

2L: Moi, je suis    l'aise dans toutes les situations. Le truc, c'est que j'en ai rien    chier de quoi que ce soit.

Prof: You need to submit your midterm by email and also a hard copy on November 6th.

3L: But many students will be in Toronto for in-firm interviews on that day...

Prof: Well, you've got to make some choices

Student: I don't even understand why this went to court

Prof: Hahaha, you have the soul of a tax planner!

3L: I went speed dating to prepare for the OCIs!

3L: Wait, actual speed dating with women?

3L: Yes, the biggest difference is preparation, you can't really prepare what you are gonna say to the next girl.

3L: Were they nice people?

3L: Yeah but I mean, I'm in a relationship, so...if my girlfriend heard about this...

Prof: Nobody seems to care about it in the Supreme Court, so I guess I shouldn't either!

Prof: I wanted to start the first day of class coming down the stairs [of the Moot Court] being carried on a sedan chair by four beefy guys fanning me with palm leaves and throwing dollar bills at me, to illustrate the promise and pitfalls of corporate law.

Prof: I went to my McGill 10 year reunion. You know those people in your class you have nothing to say to? After 10 years, you still have nothing to say.

Prof: You have no right to bring in common knowledge to this situation.

1L: Because common knowledge isn't transsystemic.

1L: So what's stopping me from going to Wal-Mart, buying 15 bottles of NyQuil, latex gloves and a ski mask?

Prof: Aside from being funny, I think that the representation of Law schools in Legally Blond is very accurate. I mean, look at the people in the film, they dress exactly like you.

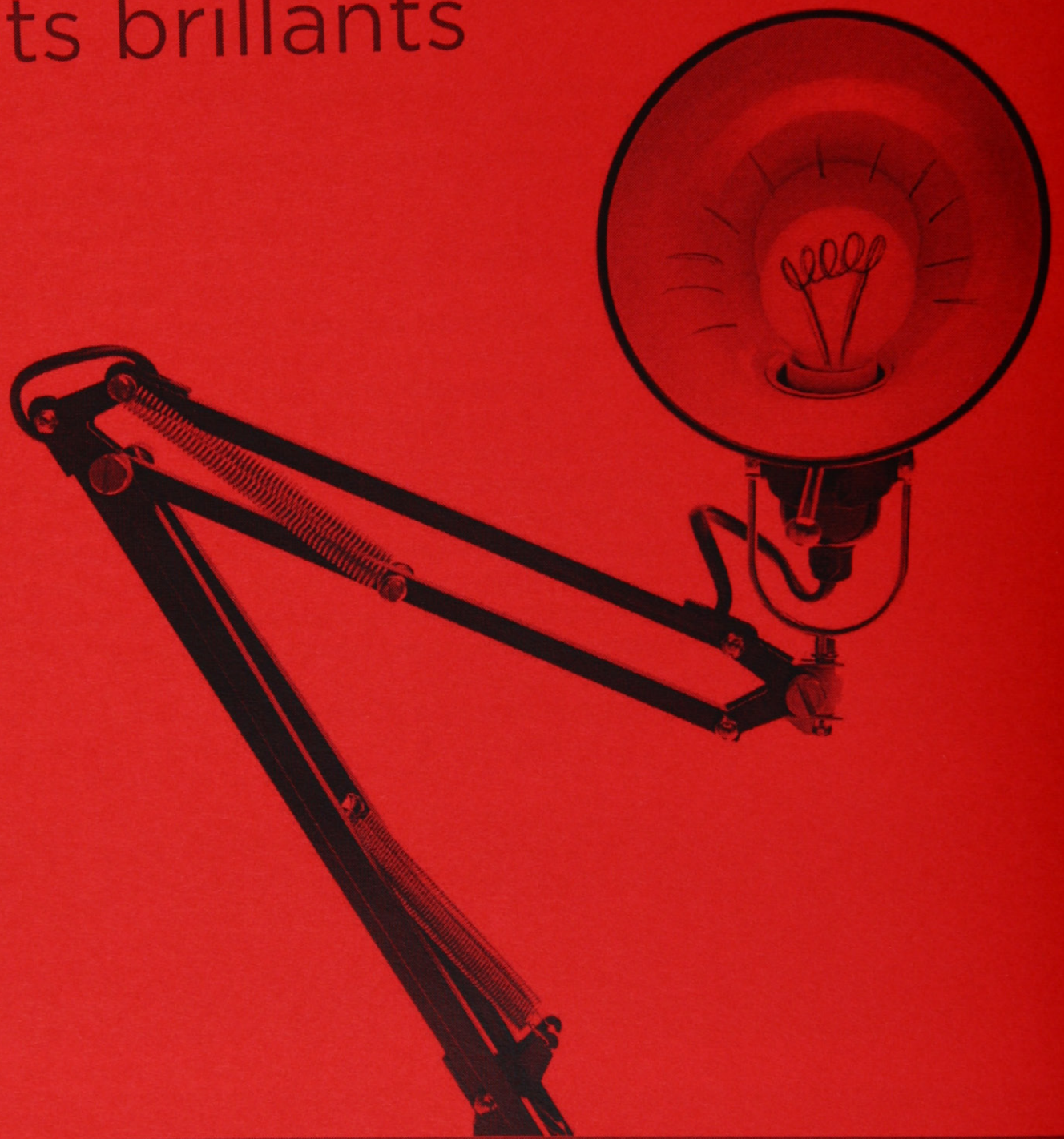
SUBMIT OVERHEARDS!
quid.overheard@gmail.com

Oops... Erratum!

Last week's Quid featured an article from the CDO advisory board on p 14, but we unfortunately forgot to include the names of the student representatives whom you may contact if you have any question.

Our Student Members of the CDO Advisory Board are Sandra Aigbinode (Sandra.Aigbinode@mail.mcgill.ca), Elo  se Gagn   (Eloise.gagne@mail.mcgill.ca), and Carole Gilbert (Carole.Gilbert@mail.mcgill.ca).

Professionnels allumés
recherchent
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